



Confirmed Minutes  
Burke Shire Council Ordinary Meeting  
Friday 8 December 2023  
8.00am Council Chambers

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## 01. Opening of Meeting

**The Chair declared the meeting open at 8.19am.**

## 02. Record of Attendance

**Cr Ernie Camp; Mayor – Chair  
Cr Tonya Murray; Deputy Mayor  
Cr John Clarke  
Cr John Yanner  
Cr Rosita Wade - as indicated**

**Chris Wilson; Deputy CEO/Director of Engineering  
Amir Akrami; Senior Engineering Manager  
Andrew Spyarakis; Works Manager  
Chelsea Nelson; People, Performance and Culture Manager  
Kimberly Chan; Economic Development Manager  
Madison Marshall; Corporate Services and Governance Manager (Minutes)  
Shaun Jorgensen; Finance and Technology Manager**

**On Leave      Dan McKinlay; Chief Executive Officer**

02.01 LGR 2012 Section 254K – Participating in meetings by audio link or visual audio link

**That Council, in accordance with section 254K of the Local Government Regulation 2012, allows the following person/s to participate in the meeting by audio link or visual audio link:**

- **Amir Akrami; Senior Engineering Manager**
- **Chelsea Nelson; People, Performance and Culture Manager**

**Moved:            Cr Murray**

**Seconded:      Cr Yanner**

**Carried 231208.01      4/0**

## 03. Prayer

**Cr Murray led Council in prayer.**

## 04. Consideration of applications for leave of absence

**That Council notes that no applications for leave of absence were received.**

## 05. Confirmation of minutes of previous meeting(s)

05.01 Ordinary Meeting Wednesday 15 November 2023 and Special Meeting Thursday 30 November 2023

**That the Minutes of the Ordinary Meeting of Council held on Wednesday 15 November 2023 and the Special Meeting of Council held on Thursday 30 November 2023 as presented be confirmed by Council.**

**Moved: Cr Camp**

**Seconded: Cr Clarke**

**Carried 231208.02 4/0**

## 06. Condolences

**No condolences were noted for the meeting.**

### Attendance

Cr Wade entered the meeting at 8.22am.

## 07. Declaration of Interests

**No declarations of interests were noted for the meeting.**

## 08. Registers of Interests

In accordance with the Local Government Regulation 2012, section 201B (2), The councillor or councillor advisor must, in the approved form, inform the chief executive officer of the particulars required to be included in a register of interests under a regulation for the new interest or the change to the particulars within 30 days after the interest is acquired or the change happens.

## 09. Consideration of Notice(s) of Motion and Petitions

09.01 Notices of Motion

09.02 Petitions

**That Council notes that no notices of motion or petitions were received.**

## 11. Chief Executive Officer Reports

### 11.04 Appointment of Acting Chief Executive Officer

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DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Dan McKinlay; Chief Executive Officer
DATE REPORT PREPARED:	1 December 2023
LINK TO COUNCIL PLAN/S:	Corporate Plan. Good Governance- Council is committed to financial, asset, environmental and community sustainability and secures these ends through efficient and effective decision-making processes. This, in turn, promotes community confidence, employee pride and stakeholder satisfaction with the organisation.

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#### 1. PURPOSE

Appointment of Acting Chief Executive Officer

#### 2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The Chief Executive Officer will be on leave from Council effectively from 8 December 2023 until Monday 1 January 2024.

#### 3. PROPOSAL

To appoint Acting Chief Executive Officer from 8 December 2023 until Monday 1 January 2024.

#### 4. FINANCIAL & RESOURCE IMPLICATIONS

Nil

#### 5. POLICY & LEGAL IMPLICATIONS

Instrument	Reference	Details
Local Government Act 2009	Section 195-Appointing an acting chief executive officer.	A local government may appoint a qualified person to act as the chief executive officer during—  (b) any period, or all periods, when the chief executive officer is absent from duty or cannot, for another reason, perform the chief executive officer's responsibilities.

#### 6. RISK

Nil

7. CRITICAL DATES & IMPLICATIONS

The acting period will cover from 8 December 2023 until Monday 1 January 2024.

8. CONSULTATION

Deputy CEO/ Director Engineering Services

Councillors

9. CONCLUSION

Nil

10. OFFICER'S RECOMMENDATION

That Council appoint Chris Wilson as the Acting Chief Executive Officer, effective from Friday 8 December 2023 until Monday 1 January 2024.

**11.04 Appointment of Acting Chief Executive Officer**

**That Council appoint Chris Wilson as the Acting Chief Executive Officer, effective from Friday 8 December 2023 until Monday 1 January 2024.**

**Moved: Cr Camp**

**Seconded: Cr Yanner**

**Carried 231208.03 5/0**

## 10. Engineering Services Reports

### 10.01 Engineering Department Monthly Report

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DEPARTMENT:	Engineering
RESPONSIBLE OFFICER:	Chris Wilson – Director of Engineering
PREPARED BY:	Andrew Spyarakis – Works Manager
DATE REPORT PREPARED:	28 November 2023
LINK TO COUNCIL PLAN/S:	Corporate Plan 2019-24

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#### 1. PURPOSE

This report is provided for information and outlines the works carried out by the Engineering Department for the month of November 2023.

#### 2. SUMMARY

The key items for noting are provided below with associated background detail.

##### 2.1 **General Business (including Parks, Gardens and Cemetery)**

- All rehabilitation works around the new footpath areas have now been completed.
- Burketown kerb and channel have now been cleaned of debris.
- Gregory Airport has had the fire break graded and all overgrown trees and shrubs is currently being removed completely withing the boundary fencing, this area will then be fully maintained and slashed regularly so it remains that way. A contractor has been engaged to remove all large trees and stump grind and a poisoning program then will be performed regularly to ensure the trees do not get regrowth.
- Arrangements have been made to ensure council has a skeleton crew available over the Burke Shire Council Christmas/New Year holiday period.

##### 2.2 **Roads**

- The Gregory-Camooweal Rd RMPC works involved resheeting 4km of road and shoulder remediation repair works has now been fully completed.





- Works on the Gregory-Lawn Hill Rd flood damaged road repairs have now also been completed making it safe for motorists to traverse across these areas safely.
- Holding works on the Floraville Rd have commenced.
- The footpath reinstatement works have now been fully completed and have been inspected and approved. The only additional re-work required were a few areas to be concrete saw cut to act as expansion points.
- All line marking of Burketown give way intersections along with the wharf area carpark and the 40kmh 'school zone' signs have now been fully completed.



### 2.3 Water & Sewerage

- SCADA upgrade project being managed by GHD continues. Installation and upgrade of the system at Burketown WTP commenced and is progress.

#### **Burketown Water**

- The recent reporting of a calcium build-up in the water supply has now been rectified by way of adjusting the pH levels.

#### **Sewerage Treatment Plant**

- The recorded high levels of pH in the treated discharge water is now being managed and controlled by dosing the discharge water with Algaecide. This has now reduced the pH levels and ongoing monitoring will prevent this from re-occurring.



**Gregory Water**

- The upgrade of the water treatment plant has been completed and we are in the process of ironing-out any minor issues.

**2.4 Airports**

- A program for the remediation of the deep scoured area at the Burketown airport caused by the major floods recently shall commence works in December however due to the volume of fill material being required and the limited access to this site we estimate the volume required is 20, and it is estimated the area shall have been filled back to existing surface levels within a week on commencement. Currently quotations are being sourced for the reinstatement of the fencing.
- The contractor has now completed all line marking at the Gregory airport.

**2.5 Waste**

- The weekly waste collection continues as normal.
- Preparation of the landfill (Burketown and Gregory) recyclable material removal tender is in progress.

**3. OFFICER'S RECOMMENDATION**

That Council receive and note the Engineering Department monthly report for November 2023.

**10.01 Engineering Department Monthly Report**

**That Council receive and note the Engineering Department monthly report for November 2023.**

**Moved: Cr Clarke**

**Seconded: Cr Yanner**

**Carried 231208.04 5/0**

**Attendance**

Kimberly Chan left the meeting from 9.02am to 9.18am.

## 10.02 Capital Works Projects Status Update Report

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DEPARTMENT:	Engineering and Infrastructure Services
RESPONSIBLE OFFICER:	Chris Wilson; Deputy CEO/Director Engineering Services
PREPARED BY:	Amir Akrami; Senior Engineering Manager
DATE REPORT PREPARED:	24 Nov 2023
LINK TO COUNCIL PLAN/S:	Corporate Plan   Operational Plan   Budget

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### 1. PURPOSE

This report seeks to inform Council of the progress of the Shire's 2023/24 Capital Works Program, for the month of November 2023.

### 2. SUMMARY

The approved funding for Capital Works program budget for 2023/24 is: **\$23,578,122.35.**

From the above amount, the following amount is related to the budget of carry over projects; **\$21,856,173.35.**

Below please find the summary of the Project and Financial progresses:

- Average Capital Works Program Progress:
  - Carry over projects: **65%**
  - 23-24 Projects: 23%
- Average Capital Works Financial Progress
  - Carry over projects: **62%**
  - 23-24 Projects: 24%

Attached please find a list of Capital Works Projects including details such as the description and status of each project.

The program is expected to be completed within the budget and according to the funding deadlines.

### 3. CASHFLOW

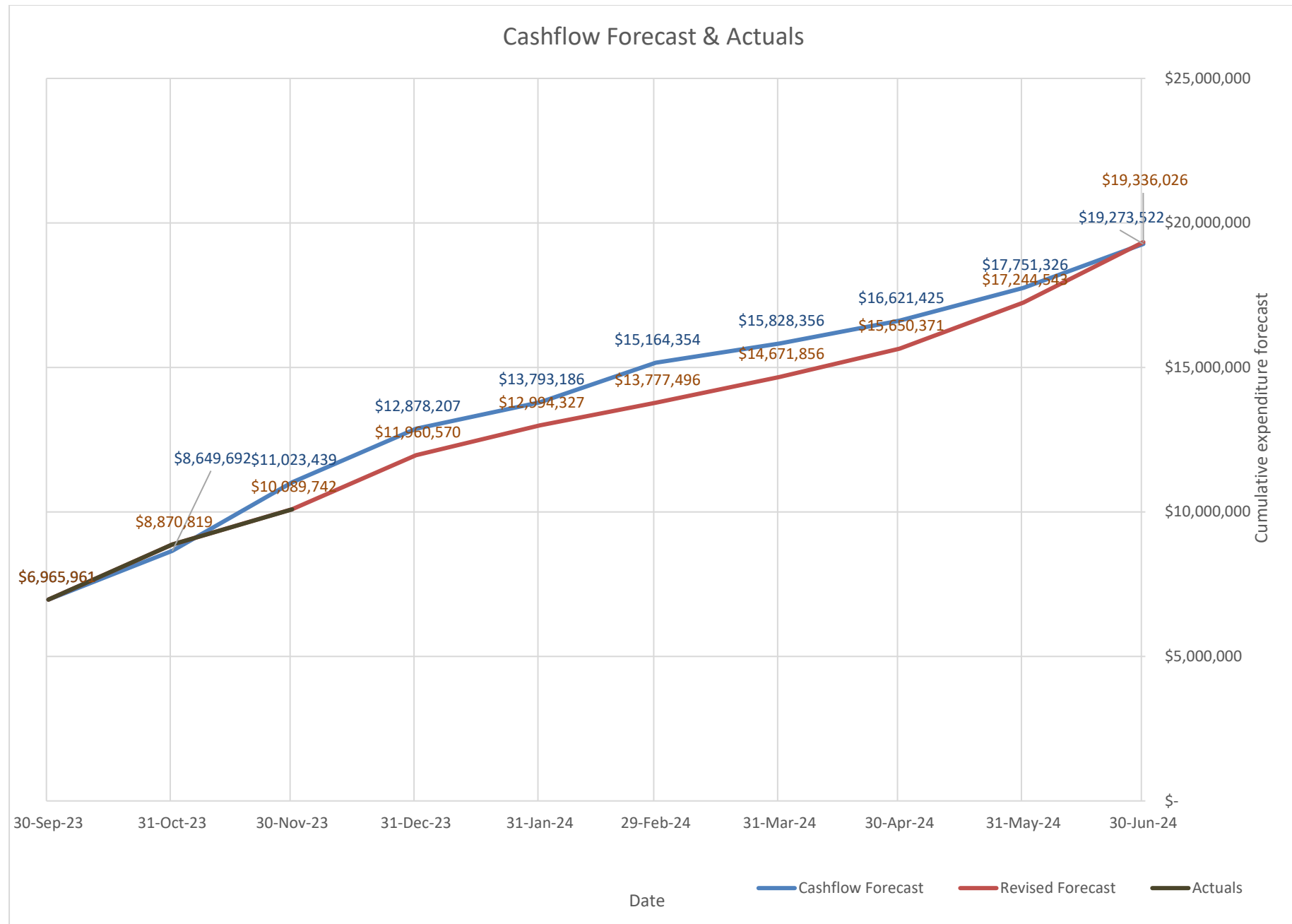
Below please find the Cashflow Forecast baseline (the blue line), the actuals (the black line), and the revised forecasts (the brown line) for this financial year. The actuals are short by approximately \$1m, which are mainly due to the following reasons:

- Late invoices
- Delay in the Raw Water storage component of Gregory Water Treatment Plant

The revised forecast indicated that the \$1m underspent will be offset by the forecasted additional expenditure, particularly in June 2024.

The forecasted expenditure in June is slightly higher than the baseline which is due to the expected additional expenditure on the Wharf Recreational Ground Project (according to the preferred contractor's schedule).

There are three projects that have allocations beyond 23-24 FY including Wharf Recreational Ground Project, Health & Wellbeing Precinct stage 1 (Splash Park Project) and the Waste Strategy Implementation Project.



#### 4. CAPITAL WORKS AND DRFA PROGRAM HIGHLIGHTS

##### Gregory Water Treatment Plant (WTP) Upgrade & SCADA Upgrade project

- Completed at Burketown Water Treatment Plant (BWTP)
  - Installing cable, cable tray and analysers
  - Demolishing and removing existing switchboard
  - Rerouting existing cables
  - Preparation for UV and pressure pump changeover
- In progress at BWTP:
  - Burketown WTP switchboard replacement
  - Filtration system and pressure pump changeover
- Issues: Slow response from the Consultant regarding low flow from the new GRWP and the design of raw water tanks at GWTP.

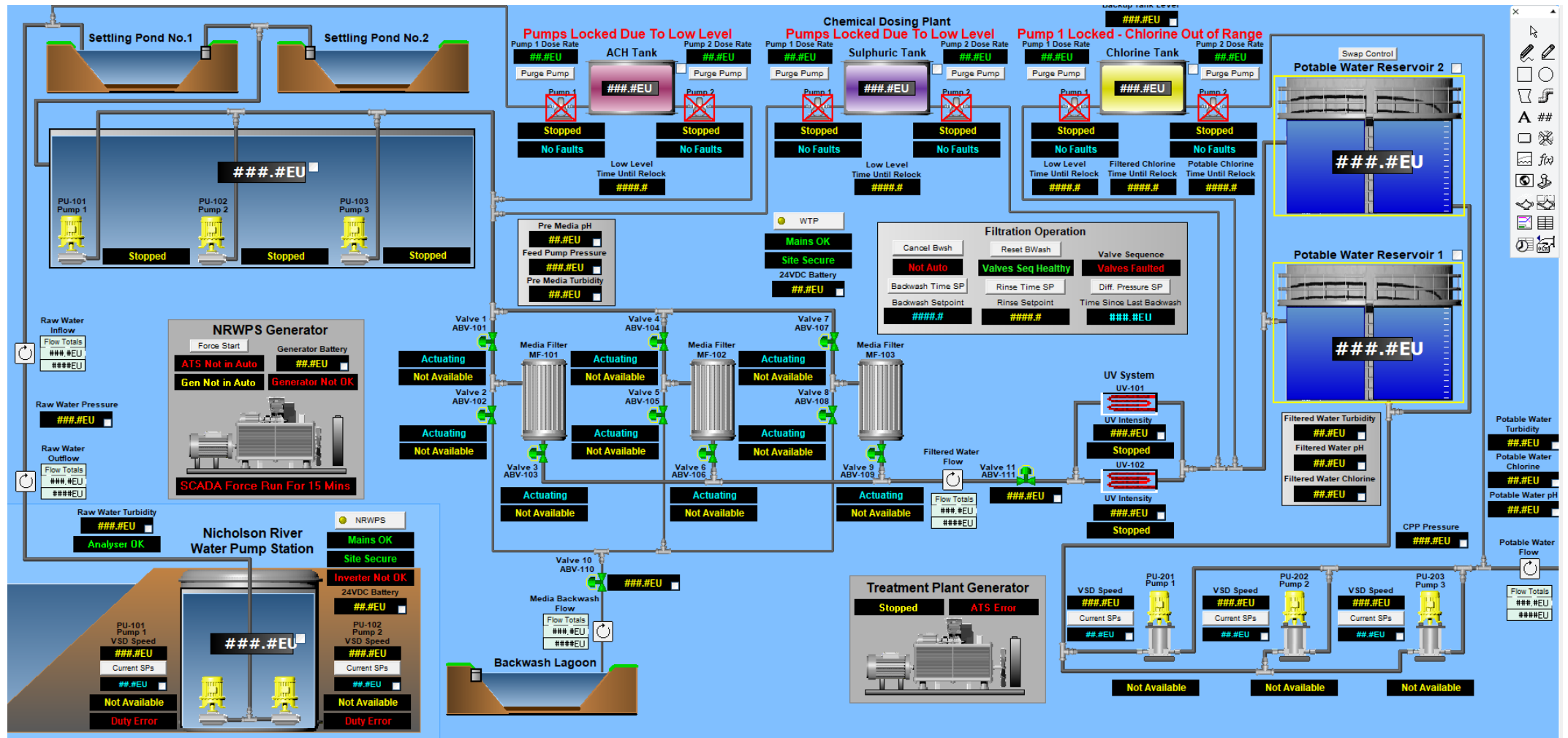


Figure 1: BWTP SCADA Screen

Health & Wellbeing Precinct (Master planning & Design)

- A lot of boundary adjustment between the lots are required. The Development application (Reconfiguring a Lot) has been lodged for this matter.
- Master plan is being amended to reflect the latest decisions made by Council.
- The RFT for the Splash Park & Playground has been released and extended till 12 December.
- The prelim design is being prepared for the admin building and pool.
- The completion of design expected for 31 Jan 2024.



*Figure 2: Proposed lot boundary adjustment for the Health and Wellbeing Project.*

Gregory - Lawn Hill Road, Archie Creek, and Dinner Creek Upgrade:

- All the items of the provisional package were awarded. The project will be delivered including Dinner Creek culvert and road upgrade works.
- Balance of concrete works (batter and drain) scheduled to be completed by 24/11/23.
- Earthworks to subgrade level completed 14/11/23.
- Pavement material placement scheduled to be completed 25/11/23.
- Seal booked for the 28/11/23.
- Guardrail, signs and line marking to follow seal and be completed by middle of December.



*Figure 3: Archie Creek Culvert – completed.*



*Figure 4: Dinner Creek Culvert – completed wingwalls*





*Figure 5: Roadworks in progress*

Floraville Road culvert replacement – Site 12 and 18:

**Site 12 & 18 culverts**

- Works completed site 12
- Culvert works completed site 18
- Pavement backfill works site 18 scheduled to be completed by 17/11/23
- Inlet and outlet protection works scheduled to be completed by 17/11/23



*Figure 6: site culvert 12 – Completed*



*Figure 7: Site 18 Culvert – installation completed.*

Burketown Wharf Recreational Grounds (combined with Boat washdown funding)

- The tenders were evaluated.
- The project requires additional \$900k.
- A separate Council report is presented to Council at the December's meeting in relation to the Procurement process and the award of the contract for the construction works.

Smart Water Meter Project:

- Tenders were evaluated.
- Great saving is expected. It is planned to transfer the Council allocation of \$217k to other projects within the Capital Works program that require additional funding (namely Flood Warning Infrastructure (FWIN) - Doomadgee West Road and Burketown Cemetery Fence projects). Also, it is planned to transfer \$240k from the external source (BoR) to SCADA and Gregory WTP Upgrade Project subject to the BoR's approval.

Gregory Depot Workers Accommodation & depot (incl. sewerage upgrade):

- The project scope yet to be agreed, pending ILUA negotiation results. It looks like the negotiations have advanced; however, any further project progress depends on the outcome of the negotiations.

Gregory Park Irrigation

- Progressing Scope for the Gregory Park automated irrigation system.
- Council Water and Wastewater Coordinator confirmed mains water and depot power can be used for the system.

Waste Strategy Implementation (Bkt relocation)

- Scope to be finalised to include waste removal and recycling.

Burketown Rodeo Ground Upgrade

- No external funding yet. The project to be deferred subject to Council approval.

Proposed scope changes:

- Gregory water Treatment Plant Upgrade:
  - Installation of Raw Water tanks instead of Lagoons.
- Sewer Network Upgrade (Including Inflow and infiltration) proposed revised Scope:
  - Repair Pump Station 1, 2, & 3. There is a list of items that could be prioritised according to the budget.
  - Budget permitting, repair two manholes.
- Truck loading, turnaround and amenities Projects: the following projects will be combined into one project focusing on the following items:
  - Projects:
    - Truck area planning/options - Greg & Bkt
    - Truck loading Ramp/turnaround area - Burketown
    - Bkt - Off street Truck parking area & amenities
    - Greg-Off Street Truck parking area & amenities
    - Gregory public amenities upgrade
  - Proposed scope of the consolidated project:
    - Upgrading/sealing the hardstand between the Gregory pub and the Wills Road intersection.
    - Upgrading the toilet block in Gregory to include a hot water shower facility.
    - Prepare a master plan for the Gregory Loading ramp and bypass.
- Gregory SES solar Power Supply, proposed revised scope.
  - Underground power extension from the depot (generator) to SES Shed.
- Burketown Hot Water Bore Recreational Area Project, scope:
  - Upgrades to the Burketown Hot Water Bore Area inc. Boardwalk and bird hide.
  - Scope to be further finalised according to the land tenure and ILUA.
- Construct - Gregory Airport Lightning, proposed revised scope:
  - Replace the existing damaged lights using Insurance.
  - Consider a shade structure for the Emergency Services for the \$50k.

Proposed Projects to be deferred or cancelled:

- 2023-2024 Fleet Renewals:
  - The project is proposed to be deferred to 24-25 and budget of \$300k allocated to the Wharf Project.
  - The funding for 24-25 FY is proposed to be allocated from W4Q 24-27 when becomes available.
- Burke (Boat Ramp) Wharf Deck Cleaning:

- Given the project nature is maintenance, the project to be cancelled. \$30k can be shifted to Wharf project.
- Fibre upgrade between Council building in Burketown
  - The project is not proceeding in its current form. A different solution is being proposed.
- PYMP Light Options:
  - The project to be deferred or cancelled subject to the Council approval. \$15k budget to be transferred to the Wharf project.
- Burketown Depot Master Plan:
  - the project is proposed to be deferred to 24-25 FY and the budget/saving of \$50k transferred to the Wharf Project.

DRFA 2022 and 2023 Update:

- Below please find the summary of each package of DRFA works, along with the progress updates.

**5601-3000-0001-2022-2023 DRFA Restoration Package 1 – Gregory Lawn Hill Road**

- Line 1-42 Complete
- Lines 75 back to 53 being worked this week
- Approximately 60% complete
- Projected completion = 15/12/2023 (conservative based on 1km/day productivity)



*Figure 8: DRFA (Restoration) works are in progress along Gregory Lawn Hill Road*



**5601-5000-0001-2022 & 2023 DRFA Restoration Package 2 – Doomadgee West Road**

- Works completed – Rectification/touch-up works commencing Wednesday 15th November
- Lagoon Creek Sight Distance Improvement works complete (photo attached)
- PC to be awarded following approval of re-worked line items.



*Figures 9: Doomadgee West Road*

**5601-4200-0001-2022 & 2023-DRFA Restoration Package 3 – Bowthorn Road**

- Line 1-63 Complete)
- Lines 64-65 being worked this week
- Approximately 70% complete
- Projected completion = 3/12/2023



*Figures 10: Bowthorn Rd*

**0280-4063-0002 2021 DRFA Bowthorn Road Culvert**

- Culvert construction completed – 2/11/2023.



*Figure 11: Bowthorn Rd Culvert Replacement*

**DRFA Restoration – Doomadgee East Road**

- Fill and repair shoulder erosion (holding works) completed.
- Preparation of damaged pavement for re-sealing (various locations) in progress.

**5. OFFICER'S RECOMMENDATION**

That Council notes the Capital Works Projects Report for November 2023.

**10.02 Capital Works Projects Status Update Report**

**That Council notes the Capital Works Projects Report for November 2023.**

**Moved: Cr Murray**

**Seconded: Cr Camp**

**Carried 231208.05 5/0**

### 10.03 Addition of Doomadgee West Rd as the western primary access (from Northern Territory side) to Doomadgee

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DEPARTMENT:	Department of Engineering
RESPONSIBLE OFFICER:	Chris Wilson; Deputy CEO/Director Engineering Services.
PREPARED BY:	Amir Akrami; Senior Engineering Manager.
DATE REPORT PREPARED:	24 November 2023
LINK TO COUNCIL PLAN/S:	Nil

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#### 1. PURPOSE

The purpose of this report is to obtain Council endorsement for the addition of Doomadgee West Rd as the western primary access (from Northern Territory side) to Doomadgee township.

#### 2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Aboriginal and Torres Strait Islander (ATSI) Transport Infrastructure Development Scheme (TIDS) funding is a component of the statewide TIDS funding program aimed at supporting the local transport infrastructure needs of Aboriginal and Torres Strait Islander communities throughout Queensland.

ATSI TIDS is provided to local governments by the Department of Transport and Main Roads (DTMR) for the upgrade of transport infrastructure that improves primary access (road, air and sea) to Aboriginal and Torres Strait Islander communities throughout Queensland.

An annual funding allocation of \$11.4 million across Queensland is provided through a competitive process to improve access via transport infrastructure such as roads, aerodromes, barge ramps and jetties. ATSI TIDS funding is managed by DTMR's Far North District. ATSI TIDS provides a 100% contribution towards approved projects.

Currently, Burke Shire Council has nominated Doomadgee East Rd as the Primary access to Doomadgee township. However, this road provides access to Doomadgee only from the East side.

Doomadgee West Rd provides access to Doomadgee from the west (Northern Territory) side. To enable Council to submit ATSI TIDS applications for any projects on this road, DTMR advised that a Council resolution to support the addition of this asset as a listed primary access route in addition to Doomadgee East Rd is required.

#### 3. PROPOSAL

The addition of Doomadgee West Rd as the western primary access (from Northern Territory side) to Doomadgee township.

#### 4. FINANCIAL & RESOURCE IMPLICATIONS

By the addition of Doomadgee West Rd as the primary western access (from Northern Territory side) to Doomadgee, there will be increased funding opportunities to undertake renewal or upgrade work on this road.

## 5. RISK

Risk Type	What could happen	Possible consequence
Positive risk (opportunity)	Additional funding opportunity.	Providing the required project budget through grants.

## 6. POLICY &amp; LEGAL IMPLICATIONS

N/A

## 7. CRITICAL DATES &amp; IMPLICATIONS

The ATSI TIDS funding application closes in mid-Feb 2024. Accordingly, Council endorsement is sought in this matter, so that Council officers will have sufficient time to prepare the funding application.

## 8. CONSULTATION

To prepare this report, consultation has been undertaken with:

- Department of Transport and Main Roads (TMR)
- Northlane Consultants
- Director of Engineering
- Doomadgee Aboriginal Shire Council

## 9. CONCLUSION

That the addition of Doomadgee West Rd as the western primary access (from Northern Territory side) to Doomadgee township would provide additional funding opportunity for Council to manage this portion of its road network.

## 10. OFFICER'S RECOMMENDATION

That Council endorse the addition of Doomadgee West Rd as the primary access from the western (Northern Territory) side to Doomadgee township.

### 10.03 Addition of Doomadgee West Rd as the western primary access (from Northern Territory side) to Doomadgee

1. That Council endorse the addition of Doomadgee West Rd as the primary access from the western (Northern Territory) side to Doomadgee township.
2. That Council endorse that there be further investigation into options of that road becoming state controlled.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 231208.06 5/0

## Adjournment

That Council adjourned the meeting from 9.29am to 10.06am for a workshop on report 10.04.



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10.04 Burketown Wharf Recreation Area – Stage 1 Contract No.: 0280-4030-0026

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DEPARTMENT:	Department of Engineering
RESPONSIBLE OFFICER:	Chris Wilson; Deputy CEO/ Director of Engineering
PREPARED BY:	Wendy van der Wolf; Procurement and Contracts Coordinator
DATE REPORT PREPARED:	4 December 2023
LINK TO COUNCIL PLAN/S:	Capital Works Program

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**1. PURPOSE**

This report provides Council with recommendations to appoint the Principal Contractor to carry out the works designated under the Burketown Wharf Recreation Area – Stage 1 Contract No.: 0280-4030-0026 for the estimate as stated in Section 3.

**2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION**

The scope of work is located at the Burketown Wharf. The project aims to create a community facility at this site on the banks of the Albert River, catering for:

- Visitors and tourist groups - shelters and BBQs
- Amenities - picnic tables
- Playground (budget permitting)
- Lighting and landscaping

Guymyer Bailey Architects was engaged in March 2022 to develop a landscape concept for the Wharf and this concept, approved by council, was the basis for the landscape specification developed by Guymyer Bailey in August 2023 and was used to form the scope for the Construction Tender.

The project is jointly funded by Council, Queensland Government (Works for Queensland (W4Q)) and the Queensland Reconstruction Authority. Consequently, Council Officers would prefer to award the tender and commence works as soon as possible.

**The tender**

The tender for the Burketown Wharf Recreation Area – Stage 1 was released via VendorPanel on the 26<sup>th</sup> September 2023 and closed on 8 November 2023.

The evaluation panel reviewed each tender in accordance with the probity and evaluation plan and undertook a tender evaluation meeting on 29th November 2023 to discuss and agree on the consensus scoring.

The tender submissions received and the consensus scoring for the Tender are listed in Attachment 1 - 0280-4030-0026 Tender Evaluation Report.

**3. PROPOSAL**

That Council, having referenced the Tender Evaluation Report, endorses the recommendations of the Tender Evaluation Panel to the extent that the Contract is awarded to TJ Wilson Building, Construction & Fabrication to the maximum amount of \$2,058,722 (ex GST).

## 4. FINANCIAL &amp; RESOURCE IMPLICATIONS

Post tender discussions were held to address the opportunities to review the scope of works to allow for adjustments accordingly to create a project that is fit-for-purpose.

Council will work with the successful contractor to revise the tendered scope to a more suitable and affordable design to reduce the current \$900,000 shortfall. Additionally, some 2023/24 Capital Works projects that may be deemed to be deferrable beyond the design stage in this financial year, may have most of the funds reallocated to the Wharf Project (approximately \$450,000) with an additional \$100,000 committed from council reserve cash.

Table 1: Project Budget

<b>Project Sources of Funding</b>	<b>\$</b>
Project Funding 2023-2024 (Council Rates and Grant Funding)	\$1,403,000
Project Funding 2024-2025 (Council Rates and Grant Funding)	\$205,722
<b>Funding Sub Total</b>	<b>\$1,608,722</b>
<b>Capital Projects Deferred for 2023-2024 to Fund Wharf Precinct Stage 2:</b>	
<i>Gregory public amenities upgrade</i>	<i>\$50,000</i>
<i>Wharf Cleaning</i>	<i>\$30,000</i>
<i>Bkt Depot Masterplan</i>	<i>\$50,000</i>
<i>Truck area planning/options - Greg &amp; Bkt</i>	<i>\$30,000</i>
<i>Truck loading Ramp/turnaround area</i>	<i>\$10,000</i>
<i>Bkt - Off street Truck parking area &amp; amenities</i>	<i>\$70,000</i>
<i>Gregory-Off Street Truck parking area &amp; amenities</i>	<i>\$70,000</i>
<i>PYMO Lights options</i>	<i>\$15,000</i>
<i>2023-2024 Fleet</i>	<i>\$125,000</i>
<b>Reallocation Capital Projects Total</b>	<b>\$450,000</b>
<b>Total Funding</b>	<b>\$2,058,722</b>

Estimated Cost of Project \$2,058,722

**2 Year Project Shortfall \$0**

## 5. RISK

<b>Risk Type</b>	<b>What could happen</b>	<b>Possible consequence</b>
Contract variation – due to wet weather, latent conditions	<ul style="list-style-type: none"> <li>▪ Increase in Contract Sum</li> </ul>	<ul style="list-style-type: none"> <li>• Contingency in the order of 5 - 10% allowed.</li> <li>▪ Project Management “on the ground” available at all times.</li> </ul>

<b>Risk Type</b>	<b>What could happen</b>	<b>Possible consequence</b>
Delay due to supply chain issues	<ul style="list-style-type: none"> <li>▪ Increase in Contract Sum and delay to the proposed completion date</li> </ul>	<ul style="list-style-type: none"> <li>• Contingency in the order of 5 - 10% allowed.</li> <li>• Selection of contractor with material in stock</li> </ul>
Delays to the completion	<ul style="list-style-type: none"> <li>▪ Not meeting the funding requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Monitor progress closely with Project Management “on the ground” overview.</li> <li>• Seek time extension from funding authority if necessary</li> </ul>
Loss of grant funding	<ul style="list-style-type: none"> <li>▪ Grant application is unsuccessful</li> </ul>	<ul style="list-style-type: none"> <li>• Council will need to identify alternative funding streams.</li> </ul>

## 6. POLICY & LEGAL IMPLICATIONS

The Council must also meet all relevant local government procurement requirements outlined in the Local Government Act 2009, Local Government Regulation 2012 and in Council's Procurement Policy. These requirements have been met through the tender process involved with these projects.

<b>Instrument</b>	<b>Reference</b>	<b>Details</b>
<i>Local Government Act 2009</i>	Sections 12 and 13 – responsibilities of councillors and employees	Section 12 charges councillors with ensuring the local government achieves its corporate plan. Section 13 charges council employees with carrying out their duties in a way that ensures the local government achieves its corporate plan.
<i>Local Government Act 2009</i>	Section 257	Council authorises the CEO to incur certain expenditure on behalf of Council by way of a delegation made by Council resolution.
<i>Local Government Regulation 2012</i>	Sections 228-238 – Default Contracting Procedures	These Sections in the Regulation provide the requirements for Procurement for contracts valued at \$200,000 and above.
Burke Shire Council Corporate Plan 2019/2024	Vision, Mission, Values	Local Government Principles and Sound Contracting Principles.
Burke Shire Council Procurement Policy 2023		Regulate and guide All Council procurement and contracting activities from external parties.

## 7. CRITICAL DATES & IMPLICATIONS

Tender Award - December 2023

Construction Commencement – April 2024

Construction Practical Completion – August 2024

A delay in the award of this tender may impact the Contractors procurement phase (Preliminaries) which could delay the start of the construction works if materials are not delivered in time.

#### 8. CONSULTATION

Consultation has taken place with:

- Councillors
- Chief Executive Officer
- Executive Management Team
- Guymer Bailey Architects
- Burke Shire Council Evaluation Panel
- Potential contractor

#### 9. CONCLUSION

The contract should be awarded to TJ Wilson Building, Construction & Fabrication subject to:

- a) agreement on value for money alternatives for the outcome of the project; and
- b) funding availability.

Additionally, the above breakdown of funding for this project includes Mental Health and Wellbeing grant sources which is currently still in negotiation with the Department.

#### 10. OFFICER'S RECOMMENDATION

- a) That Council note the contents of the report and relevant attachments; and
- b) That Council instruct the Chief Executive Officer to award the Contract to TJ Wilson Building Construction & Fabrication to the maximum amount (excl. GST) of:
  - i. \$2,058,722 (excl. GST)
- c) Delegates authority to the Chief Executive Officer to enter into negotiations with any and all matters associated with executing the Contract to the maximum value of the Project Budget.

##### **10.04 Burketown Wharf Recreation Area – Stage 1 Contract No.: 0280-4030-0026**

- a) That Council note the contents of the report and relevant attachments; and
- b) That Council instruct the Chief Executive Officer to award the Contract to TJ Wilson Building Construction & Fabrication to the maximum amount (excl. GST) of:
  - i. \$2,058,722 (excl. GST)
- c) Delegates authority to the Chief Executive Officer to enter into negotiations with any and all matters associated with executing the Contract to the maximum value of the Project Budget.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 231208.07 5/0

## Adjournment

That Council adjourned the meeting for morning tea from 10.07am to 10.27am.

## 11. Chief Executive Officer Reports

### 11.01 Status Report

**Resolution Number – 221025.08 – Burke Shire Council Economic Development Strategy**

That:

- 1) Council note the contents of the report;
- 2) Endorses the Burke Shire EDS Project Plan timeframes, and community consultation process; and
- 3) Endorses the commencement of the development of the Burke Shire ED

**Status**

Community consultation has occurred in Burketown and Gregory. Economic Development Strategy currently being developed.

**Resolution Number – 221209.05 – Burketown Speed Limit Reduction**

That the speed limit be reduced from 60 to 30 km per hour when the Beames and Musgrave St Upgrade and Cycleway project is constructed:

1. On Beames St between Sloman St and Marshall Lane, and
2. On Musgrave St between Burke St and Beames St

**Status**

Matter will be resolved when the Beames and Musgrave Street Upgrade and Cycleway design is finalized. Discussion with DTMR had confirmed that a posted 30 km per hour speed limit is not required.

**Resolution Number – 221209.06 – Illegal Dumping Regulatory Controls - Delegated Authority to Chief Executive Officer**

It is recommended that pursuant to section 263 (1) (b) of the Waste Reduction and Recycling Act 2011, Council resolves to delegate the exercise of all powers contained in the Waste Reduction and Recycling Act 2011 to the Chief Executive Officer. These powers must be exercised subject to any limitation contained in the Instrument of Delegation.

**Status**

Will be included in next Delegation's update.

**Resolution Number – 230125.16 – Burketown Wharf Precinct**

That a sub committee made up of the Mayor, Cr Yanner, the CEO and Acting Director of Infrastructure, meet with the Burketown Volunteer Marine Rescue representatives in relation to future management of the Burketown wharf precinct and future planned structural improvements.

**Status**

Continue to progress project. Tender has been released and tenders to be submitted to Council in December 2023.

No further action required.

**Resolution Number – 230823.16 – 2023 - 2024 Donations and Community Grants Requests Report**

THAT the Council receives and adopts the following:

1. That Council notes the contents of this report;
2. That Council approves the received Donations/Community Grants requests for the 2023/24 financial year in the following schedule; and
3. That Council approves the Donations/Community Grants requests not yet received but pending financial year as outline in the following schedule.

**Schedule of Recommended Donations 2023-2024**

<b>Group / Organisation</b>	<b>Event Details Date</b>	<b>Cash Donation / Community Grant Request Received</b>	<b>In-Kind Donation/ Community Grant Request Received</b>	<b>Total of Cash Donations/ Community Grants + In-Kind Donations Requested and others normally budgeted for 2023/2024</b>	<b>In-Kind Donation/ Community Grant Request Particulars</b>
<b>North West Canoe Club</b>	Gregory Canoe Race (Saddles & Paddles) Sunday 6 <sup>th</sup> May 2024	Nil	\$2500.00 (Estimate only)	\$2,500.00	3 Skip Bins for 1 week – serviced 1 x Portaloo – serviced 1 day only.

<b>Gregory Sporting Assoc.</b>	Gregory Camp draft & Children's Horse Sports 22nd & 23rd June 2024	\$3,000.00	\$2,000.00	\$5,000.00	Printing of program (5 x A3 approx. \$13)  Use of rotary hoe prior to the event to prepare arena (council does not have rotary hoe)  Rubbish Collection (approx. \$200)	\$5,000.00
<b>QCWA Gregory Branch</b>	Horse Sports & Family Fun Day DTBA - September 2023	\$2,500.00	\$300.00	\$2,800.00	Erect the street banners to advertise the event  Rubbish Collection however this can be completed on normal rubbish day as generally not that much	\$2,800.00
<b>Mt Isa School of the Air</b>	Magazine page sponsorship  Burke Shire standard annual contribution	\$150.00	Nil	\$150.00	Nil	\$150.00

<b>Mt Isa School of the Air</b>	Annual Camp at Gregory Showgrounds	Nil	\$200.00	\$200.00	Donation request not received 23/24 however donation based on previous years Rubbish Collection	\$200.00
<b>Sundry Donations – Burke Shire Council</b>	Donations requests to be approved at Council discretion – funerals, event support etc.	Nil	\$5,000.00	\$5,000.00	Nil	\$5,000.00 (pending request from community group or by way of decision to distribute from Council)
<b>Royal Flying Doctors</b>	Contribution decided by Council previous years	\$5,000.00	Nil	\$5,000.00	Nil	\$5,000.00
<b>Burketown Barramundi Fish Org</b>	World Barramundi Fishing Championships Easter Weekend	\$5,000.00	Nil	\$5,000.00	Donation request not received 23/24 however indication that there will be an event in 2024. Donation determined based on previous years.	\$5,000.00 (Pending application to be received)



<b>Gregory Jockey Club</b>	Gregory Races	\$6,000.00	\$2,500.00	\$8,500.00	<p>Donations request not received 23/24 however donation determined based on previous years.</p> <p>Printing of Race Booklets and programs (Booklets - 10 pages &amp; 100 copies approx. \$2100.00)</p> <p>Printing of Programs (5 x A3 approx. \$13)</p> <p>Slashing of the Grounds – to be maintained by Council.</p>	\$8,500.00
<b>Burketown Kindergarten</b>	Annual	Nil	\$300.00	\$300.00	<p>Donation request not received 23/24 however donation determined based on previous years.</p> <p>Provision of printing throughout the year.</p>	\$300.00 (Pending application to be received)

<b>Burketown Rodeo &amp; Sporting Association</b>	Burketown Rodeo/Races DTBA	\$5,000.00	Nil	\$5,000.00	Donation request not received 23/24 however indication that there will be an event in 2024. Donation determined based on previous years.	\$5,000.00 (Pending application to be received)
<b>TOTAL</b>		\$26,650.00	\$12,800.00	\$39,450.00		\$39,450.00

**Status**

Progressing during financial year and actioned as resolved.

**Resolution Number – 231130.02 – Queensland Audit Office 2023 Financial Statements and Audit Reports**

THAT the Queensland Audit Office 2023 Financial Statements, 2023 Final Management Letter 2023 Representation Letter and 2023 Audit Closing Management Report are now presented to Council to be received.

**Status**

Adopted at Special Meeting 30 November 2023. No further action.

**Matter Closed.**

**Resolution Number – 231130.03 – Queensland Audit Office Roads to Recovery Annual Report 2023**

THAT the audited Roads to Recovery Annual Report 2023 and 2023 Representation Letter are now presented to Council to be received.

**Status**

Adopted at Special Meeting 30 November 2023. No further action.

**Matter Closed.**

**Resolution Number – 231130.04 –Annual Report for the year ended 30 June 2023**

1. That Council note the contents of the report; and
2. That in accordance with section 182 (1) and (2) of the Local Government Regulation, Council adopts the Burke Shire Council annual report as presented for the financial year ended 30 June 2023; and
3. That the annual report so adopted will be published on Council's website within 2 weeks of this decision, in accordance with section 182 (4) of the Local Government Regulation 2012.

**Status**

Adopted at Special Meeting 30 November 2023. No further action.

**Matter Closed.**

**1. OFFICER'S RECOMMENDATION**

That the status report be received and noted.

**11.01 Status Report**

**That the status report be received and noted.**

**Moved: Cr Yanner**

**Seconded: Cr Murray**

**Carried 231208.08 5/0**

## 11.02 Chief Executive Officer Report

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DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; CEO
PREPARED BY:	Dan McKinlay; CEO
DATE REPORT PREPARED:	5 December 2023
LINK TO COUNCIL PLAN/S:	Goal - Good Governance 1. Council develops implements and maintains an effective and compliant governance framework (governance, finance, risk).

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### 1. PURPOSE

To summarise the key actions and updates within the office of the CEO for the month of November 2023.

### 2. UPDATES

#### Chief Executive Officer

Records management continues to be a focus with planning for destruction runs in line with legislation.

Renewal of Memorandum of Understanding's for Gregory Downs Jockey Club has commenced. Review of Licence Agreement between Burke Shire Council and Gangalidda and Garawa Services Pty Ltd is well advanced re Visitor Information Centre.

The Housing Strategy implementation is progressing. Three houses now sold plus one house sold in Gregory. Three further contracts now signed and two more are being progressed. I anticipate that all nine properties will be sold by 30 June 2023.

Various meetings as follows:

- Attended DDMG Pre wet season meeting.
- QRO Debt Recovery Program-meeting. NWQROC-Zoom meeting.
- Public Meeting - Post Flood brainstorm,
- LDMG meeting - Pre wet season.
- Meeting with Patricia Richards-Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and Art.
- Internal Grants meetings.
- Police Interviews - New Sergeant Burketown.
- Various discussions Mirabou.
- GSD Board Meeting
- GSD AGM

- Wharf Project Budget discussions.
- NWQROC -Strategic Meeting.
- NWQROC meeting Burketown.
- Gregory ILUA discussions

### Financial Services and Information Technology

#### Major focus in November 2023 for Financial Services was as follows:

- 2022/2023 external audit finalised and signed
- R2R 2022/2023 Annual report finalised and signed
- Consolidated Data lodgement has been approved for extension to the 10<sup>th</sup> December due to delays with external audit; and
- 2022/2023 Annual Report which will be tabled with council and endorsed.

#### Major focus in November 2023 for Technology Services was as follows:

- Network Penetration testing is planned to commence in late January 2024 at this stage.;
- Burke and Telstra grant submission for the TDRI grant funding program for Network and telephony resiliency was submitted on time – this will include the following elements:
  - Starlink installation with Starlink Business to the Admin office with a view to use this to provide public Wi-Fi
  - MS Teams Deployment Costs, including onsite to Burketown
  - Estimated project cost of \$143k – seeking exception from dept for 100% external funding with no cost impost to council
  - Estimated monthly billing saving of \$852 or \$10.2k per year
- A 100mbit link has been confirmed for the Burke Admin office and will be installed for early November (set to visit for the 7/11/2023 at this stage), 9 months ago this was only a 10mb link to provide a comparison of progress;
- Council management is working with Peak and Telstra to prepare a 4G upgrade project for submission for Growing Regions funding – the expected cost is approx. \$1.8mil and we are currently seeking \$100k in grant funding for technical design works for Telstra to carry out;
- A project is currently underway to implement a full roads management suite of software via reflect and Arc GIS currently with the costing of mobile Starlink and new iPads being scoped for outdoor crew vehicles; this will be completed for January 2024; and
- Engineering and IT staff are investigating the implementation of Telstra Track over the new white fleet received in the past months.

### People and Culture

#### EBA related

- JCC meeting took place on 24 November. A successful meeting with a few action items raised including minor amendments to the Vehicle Policy.

**Policies**

Vehicle Policy

**Positions advertised:**

- Water Operator
- Finance Officer
- Project Manager

**New employees**

- Derek Underwood – temporary Project Manager
- Glenn Cook – relief Water Operator
- Jacquille Chong – transition to full time
- Clairice MacNamara – transition to full time

**Terminations**

- Darren Nash

**Training and Professional Development**

- LMS: Bullying and Harassment training
- Road Safety Audit Training

**HR Inductions Other**

- First Start Funding for two trainees approved for a total of \$30,000 for FY 23-24.
- Move it Burke:
  - Our final event for the year - walk, bootcamp and personal training took place on 18 November. A successful event but attendance was down due to other events on in town.

**Economic Development / Community Projects****Grants**

- Several Grants currently being drafted for submission
  - Growing Regions Fun – Burketown Splash Park Stage One of the Burketown Health and Wellbeing Precinct. Approx \$3.5 million dollar project (10% co-funded by Council). Progressed to the next stage
  - SES Gregory – Grant for office building currently being worked on.
  - Remote Airport Upgrade Grant – looking at potentially submitting for a shade structure for emergency services use at Gregory Airport
  - Currently look at submitting something for the Active Women and Grants Program pending support from a supplier that can run the program.
  - Drafting submission for the Tackling Regional Adversity through Connected Communities Grant 2024 – 25 - \$66k
- Grant currently being worked on:

- Move it NQ – Gregory sports program – Successful \$7k. This will allow after school sports activities for two hours every fortnight facilitated by Council. Funding has been extended due to flooding. Meeting with Taren – keen to progress
- SES Support Grant – Gregory SES Power shed. Original underground system to be installed from Council Depot. Awaiting revised quote
- QRA Get Ready funding – disaster dashboard completed. Training also completed.
- Gambling Community Benefit Fund – still holding funds. Purchasing a new lock system for gym in Burketown.
- Successful for the Strengthening Rural Communities Grants for a community garden. \$25k
- Council Website now updated with community grants. To be updated monthly – ongoing.

#### **Small Business**

- Drafting a business investment prospectus document to entice people to come to the shire and start a business – ongoing. Awaiting industrial land to be finalised.
- Bounce back to business Burketown workshops and one-on-one consultations to be held between the 11-13<sup>th</sup> of November. Completed – reasonable turn out from businesses
- 2023 small business and tourism survey released – only received 2 responses so far.

#### **Gulf Savannah Development**

- GSD AGM complete
- Ongoing project management assistance

#### **Tourism**

- Next year's brochures to be purchased as businesses reopen – preparation to begin shortly
- Signage audit underway. Due to apply for funding for signage ongoing.
  - Currently looking at putting in a new welcome to Burketown Sign at the airport and Hell's Gate Roadhouse – prioritised. Working with state development to see if the digital files may be available
- New tourism website currently having content uploaded to page. This will also include a new look business directory.
- New tourism data – Localis currently deployed. Will be useful for grant applications. There is no cost involved to Council with this.
- Tourism banners being scope for signs in Burketown and Gregory
- Tourism survey included specific questions for the tourism related businesses – hoping for insight into how Council can assist with this.
- Tourism Data (Provided by the Visitor Information Centre) - None recorded for November

#### **Economic Development**

- Scoping of trial digital hub ongoing
- Draft Economic Development Strategy finalised. Draft Completed
- Ergon solar land – planning ongoing.

#### **Other**

- Temporary housing - Cyclone rated dongas have now been deployed.

## Community and Communications

### Events

Upcoming Community Events:

NIL

Upcoming Council Events:

December 8	Burketown Staff Christmas Event
	Burketown Community Christmas Event
January 26	Australia Day – Burketown

### Events/Community

- Gregory Community Christmas Celebration held – see event report
- Australia Day planning underway. To be held in Burketown

### Building & Maintenance

- Maintenance to council properties is ongoing, including assessments for insurance. . Only 1 tender received for building inspections on all Council assets. This may have to go out to tender again.
- MPDT Tree Lopping completed.

### Housing

- House 15, 31 Bowen Street – Quotes for repair have been received and review underway.

### EHO

- 1 new mobile food business application – under review
- 1 renewal application under review
- Currently looking into Service Agreement to engage EHO (Trevor Harding) on a more regular basis. Awaiting response from Brisbane City Council CEO
- Follow up inspections to be completed in the new year on Licensed premises who received compliance/improvement notices.

### Local Laws

- Review of overgrown allotments to occur in the new year after the wet season. Public notification to be sent out in relation to potential pests (mosquitos, spiders, snakes) including fact sheets identifying risks and tools/resources to assist in management.

### Other

- Burke Shire Council Silent Auction – Postponed DTBA
- Lease with Bureau of Meteorology to be finalised - Lot 76 SP280661. Report to Council.

## Corporate Services and Governance

### Records

- Completion of a destruction run and continuing to work through more.

### Library



- The forward plan for 2023-24 funding for both the library and First 5 Forever program have been submitted.

**Rex**

- The Rex trainer was onsite at the end of August and signed off Jake Green to assist with airport related duties
- The Disability Lift training has started. Theory has been completed for most staff. Dave Marshall has passed out and can use the Disability Lift. Rest of staff practical training to be completed

**Bookings**

- Continue to be quite busy in the bookings space, mostly with travel bookings. A few Durlga bookings coming through
- Already a number of bookings locked in through to the end of the year.

**3. OFFICER'S RECOMMENDATION**

That the contents of the Chief Executive Officer's Report for November 2023 be noted and received.

**11.02 Chief Executive Officer Report**

**That the contents of the Chief Executive Officer's Report for November 2023 be noted and received.**

**Moved: Cr Wade**

**Seconded: Cr Murray**

**Carried 231208.09 5/0**

### 11.03 Finance Monthly Update Report

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DEPARTMENT:	Office of the Chief Executive Officer]
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Shaun Jorgensen; Finance and Technology Manager
DATE REPORT PREPARED:	5 December 2023
LINK TO COUNCIL PLAN/S:	Operational Plan 2023-24   Council Budget 2023-24

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#### 1. PURPOSE

This report has been constructed to provide a snapshot of the progress of council's operations (financial) against budget targets at 30 June 2024 as adopted by the council budget. The below report will focus on providing information to key decision makers in regards to key metrics, trends and actuals for the month ended October 2023.

#### 2. SUMMARY

As a review of council's performance over the month of November 2023; Council notes that cash was up by \$854k for the month of November 2023. Year to date, council operations are on track with the original council budget.

The following report will cover off on the following key areas (in order) of the list

- 1) Overall Operating Summary (Actual v Budget)
- 2) Statement of Cash Flows
- 3) Statement of Income and Expenditure
- 4) Organisational Services Performance
- 5) Statement of Financial Position
- 6) Rating Arrears Summary
- 7) Exercise of Delegations
- 8) Officer's Recommendations

#### 3. OVERAL OPERATING SUMMARY (Actual v Budget)

The below summary shows a brief snapshot of how council is tracking in the current year against the budget for the year as adopted by council for the 30 June 2024.

Overall Financial Performance	Note Ref	Year To Date Actual	Annual Budget (Target)	YTD Progress %
Operating Revenue	(1)	8,662,859	21,304,295	<div><div></div></div> 41%
Operating Expenses	(2)	11,442,071	25,174,230	<div><div></div></div> 45%
<b>Operating Result (Profit/Loss)</b>	-	<b>2,779,212</b>	<b>- 3,869,935</b>	<div><div></div></div> <b>72%</b>
Capital Revenue	(3)	1,241,071	18,305,100	<div><div></div></div> 7%
<b>Net Result</b>	-	<b>1,538,141</b>	<b>14,435,165</b>	<div><div></div></div> <b>-11%</b>

Assets & Liabilities		Year To Date Actual	Annual Budget (Target)
Cash & Cash Equivalents	(4)	19,781,043	14,078,661
Other Current Assets	(5)	3,743,179	1,402,000
Non Current Assets	(6)	169,106,972	180,061,175
<b>Total Assets</b>		<b>192,631,194</b>	<b>195,541,836</b>
Liabilities (Current)	(7)	15,302,145	3,540,000
Liabilities (Non Current)	(8)	1,042,459	1,483,120
<b>Total Liabilities</b>		<b>16,344,604</b>	<b>5,023,120</b>
<b>Net Community Assets</b>		<b>176,286,590</b>	<b>190,518,716</b>

### Sustainability Outlook

Financial Sustainability Ratios and Measures of Sustainability	Target	Current Month YTD	Prior Month
<sup>1</sup> Operating Surplus Ratio (%)	Between 0% and 10%	-32%	-136%
<sup>2</sup> Working Capital Ratio	Greater than 1:1	1.5	1.4
<sup>3</sup> Net Financial Liabilities Ratio	Less than 60%	-95%	-197%

<sup>1</sup>

### Notes:

- (1) **Operating Revenues** - Major movement for the month consists of the recognition of approximately \$5 mil in DRFA revenues by the end of November 2023.
- (2) **Operating Expenses** - Noted that costs appear to be consistent with budgeted expectations for the month. In relation to employee benefits costs against the budget, we have currently expended \$2.217mil against a budget of \$6.379mil for the year; this is an actual spend of 33.35% year to date.
- (3) **Capital Revenue** - Noted capital revenue consisted of \$747k TIDS and \$493k ATSI TIDS.
- (4,5,6,7,8) - Accounts relate to balance sheet movements, all of which will move in correlation to Council operating movements; as such no items by exception to report at this stage.

### 4. STATEMENT OF CASH FLOWS

The below statement shows a comparison between the cashflow of November 2022 in the previous year v November 2023 actuals v the budgeted estimated cashflow for 30 June 2024.

### <sup>1</sup> Definitions

- 1 The working capital ratio: measures council's ability to offset short term obligations with current assets.
- 2 The net financial liabilities ratio: measures council's ability to increase borrowings where necessary.
- 3 The operating surplus ratio: measures council's ability to cover operational costs through operational revenues.

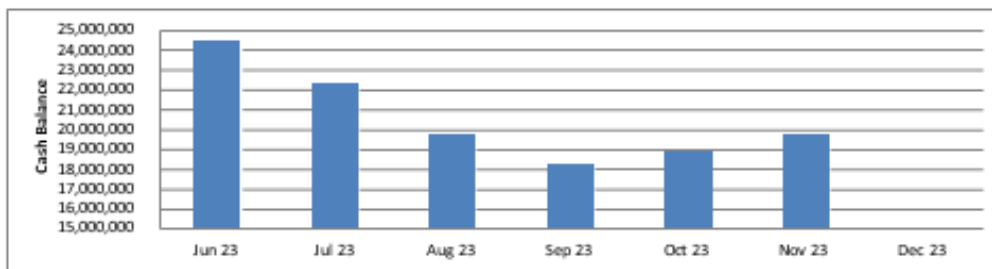
For the month ended 30 November 2023

	Note Ref	30 November 2022 \$	30 November 2023 \$	2023-24 Annual Budget \$	YTD Progress %
<b>Cash flows from operating activities:</b>					
Receipts from customers	(1)	3,044,022	838,293	5,442,006	15%
Payments to suppliers and employees	(2)	(7,067,426)	(11,416,420)	(27,941,922)	41%
		<b>(4,023,403)</b>	<b>(10,578,127)</b>	<b>(22,499,916)</b>	<b>47%</b>
Rental Income	(3)	98,923	92,001	218,000	42%
Interest Received	(4)	125,763	405,711	480,000	85%
Operating Grants and Contributions	(5)	4,024,239	8,703,845	15,400,000	57%
Finance Costs		0	0	-	0%
<b>Net cash inflow (outflow) from operating activities</b>		<b>223,521</b>	<b>(1,376,570)</b>	<b>16,058,000</b>	<b>9%</b>
<b>Cash flows from investing activities:</b>					
Payments for Property, Plant and Equipment	(6)	0	(4,544,035)	(22,785,100)	20%
Net movement on loans and advances		-	-	-	0%
Proceeds from Sale of Property, Plant and Equipment		(140,061)	0	100,000	0%
Capital Grants and Subsidies	(7)	1,545,350	1,241,071	18,205,100	7%
<b>Net cash inflow (outflow) from investing activities</b>		<b>(1,305,474)</b>	<b>(3,302,964)</b>	<b>(4,480,000)</b>	<b>76%</b>
<b>Cash flows from financing activities:</b>					
Proceeds from Borrowings		-	-	500,000	0%
Repayment of Borrowings		-	-	-	0%
<b>Net cash inflow (outflow) from financing activities</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>
<b>Net Increase (decrease) in cash held</b>	(8)	<b>(1,081,953)</b>	<b>(4,679,534)</b>	<b>(10,381,916)</b>	<b>45%</b>
Cash at beginning of reporting period		10,146,891	24,460,577	24,460,577	100%
<b>Cash at end of reporting period</b>	(8)	<b>9,064,938</b>	<b>19,781,043</b>	<b>14,078,660</b>	<b>141%</b>

### Cash and Cash Equivalents Summary

Cash & Cash Equivalents	Effective Interest Rate	YTD Interest Earnings	Cash Balance
QTC Cash Fund	5.28%	405,711	18,297,364
Westpac General Fund - Trust	-	-	1,483,398
Cash Floats	-	-	283
<b>Total</b>			<b>19,781,043</b>

### Cash and Cash Equivalents Movement Comparison Chart



### Cash and Cash Equivalents – Restricted Cash (IAS 7)

Total Cash on hand	19,781,043	%
Restricted Cash - DRFA Operating Grants	11,129,136	78%
Restricted Cash - Non-DRFA Operating Grants	178,687	1%
Restricted Cash - Capital Grants	2,998,043	21%
Unrestricted Cash	5,475,177	28%

### Notes to the Statement of Cashflows:

- (1) **Receipts from customers** - Noted movement month on month due to decrease in rates receivable balances. We expect this balance to continue to improve from month to month. We also note that balance movements for contract assets will also be contained within the mapping of this caption which finance will review for January 2024 at this stage.

- (2) **Payments to suppliers and employees** - On track with budget; please note that this amount includes accruals amounts to be recognised to 30 June 2023; as a result some amounts in the cashflow will carry through to 30 June 2024 as a distortion due to timing. This was a similar outcome in the prior year/s as well. This amount also shows that council is performing on track with budget and delivery of planned works.
- (3) **Rental Income** - Rental income is on track with budget.
- (4) **Interest Received** - Interest has increased significantly comparably year on year due to the significant change in the RBA cash rate having an impact on the effective interest rate provided by the QTC (5.28%). This is up from 4.48% in October 2023. At this stage interest is unpredictable and we anticipate to exceed our expectations in the annual budget pending further review for the quarter 1 budget review.
- (5) **Operating Grants and Contributions** - Noted approximately \$3.986M of funding from the DRFA was receipted during the month for DRFA funding flood damage works during the month.
- (6) **Payments for Property, Plant and Equipment** - The current spent indicate total capital works progress year to year for the end of November 2023. Noted that the spend to date is showing significant improvement year on year and represents Engineering pursuing the budgeted target as set by council for capital works.
- (7) **Capital Grants and Subsidies** - Noted capital revenue consisted of \$747k TIDS and \$493k ATSI TIDS.
- (8) **Net Cash Movement** - Council's cash holdings were up by \$854k by the end of November 2023. Movements as such are expected month on month as a large portion of cash held is constrained and locked to project funding and council is currently working towards meeting quite a large budgeted capital works program for 2023/2024 (approx. 28% of cash holdings is restricted currently).

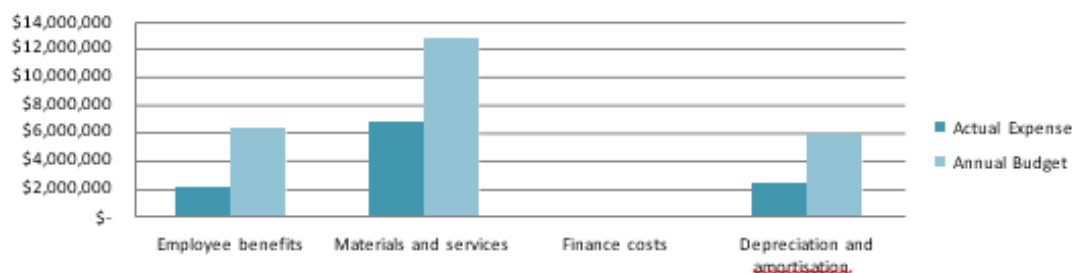
## 5. STATEMENT OF INCOME AND EXPENDITURE

The below statement shows a comparison between the income and expense statement of November 2022 in the previous year v November 2023 actuals v the budgeted income and expenditure for 30 June 2024.

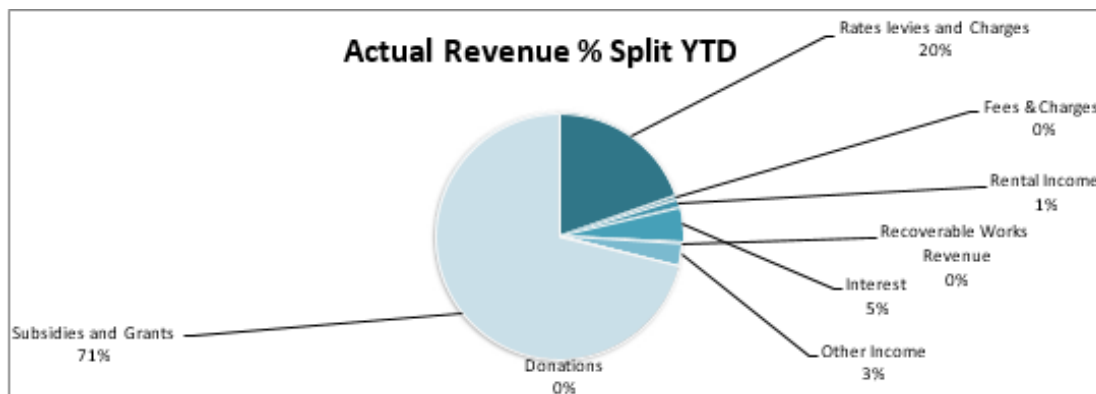
For the month ended 30 November 2023

	Note Ref	30 November 2022 \$	30 November 2023 \$	2023-24 Annual Budget \$	YTD Progress %
<b>Recurrent Revenue</b>					
Rates levies and Charges		1,679,437	1,700,625	3,365,000	51%
Fees & Charges	(1)	61,176	43,822	147,400	30%
Rental Income	(2)	96,923	92,001	218,000	42%
Interest	(3)	125,763	405,711	480,000	85%
Recoverable Works Revenue	(4)	462,890	8,310	1,139,895	-1%
Other Income	(5)	12,839	250,174	549,000	46%
Donations	(12)	-	-	5,000	0%
Developer Contributions		-	-	-	0%
Subsidies and Grants	(6)	1,543,646	6,178,836	15,400,000	40%
<b>Total Recurrent Revenue</b>		<b>3,982,675</b>	<b>8,662,859</b>	<b>21,304,295</b>	<b>41%</b>
<b>Capital Revenue</b>					
Sale of non-current assets	(13)	-	-	100,000	0%
Contributions		-	-	-	0%
Subsidies and Grants	(7)	1,545,350	1,241,071	18,205,100	7%
<b>Total Capital Revenue</b>		<b>1,545,350</b>	<b>1,241,071</b>	<b>18,305,100</b>	<b>7%</b>
<b>TOTAL INCOME</b>		<b>5,528,025</b>	<b>9,903,930</b>	<b>39,609,395</b>	<b>25%</b>
<b>Recurrent Expenses</b>					
Employee benefits	(8)	1,982,928	2,127,570	6,379,591	33%
Materials and services	(9)	2,914,722	6,841,817	12,866,639	53%
Finance costs	(10)	6,998	10,184	18,000	57%
Depreciation and amortisation	(11)	2,234,413	2,462,500	5,910,000	42%
<b>TOTAL RECURRENT EXPENSES</b>		<b>7,139,060</b>	<b>11,442,071</b>	<b>25,174,230</b>	<b>45%</b>
<b>NET RESULT</b>		<b>- 1,611,035</b>	<b>- 1,538,141</b>	<b>14,435,165</b>	<b>-11%</b>

## Expenditure Actual v Budget



## Actual Revenue % Split YTD



## Notes to the Statement of Income and Expenditure:

- (1) **Fees & Charges** - This amount is on track with budget.
- (2) **Rental Income** - Rental income is on track against budget.
- (3) **Interest** - Interest has increased significantly comparably year on year due to the significant change in the RBA cash rate having an impact on the effective interest rate provided by the QTC (5.28%). This is up from 4.48% in October 2023. At this stage interest is unpredictable and we

anticipate to exceed our expectations in the annual budget pending further review for the quarter 1 budget review.

- (4) **Recoverable Works Revenue** - The balance is currently negative due to billing amounts for private works being accrued back to 2022/2023 with the reversal of this being processed in 2023/2024 pending the issuance to bills to external parties. There are currently \$448k in completed RMPC works pending billing.
- (5) **Other Income** - Minimal movement noted for November 2023; we expect this to increase during the year pending the finalisation of post-flood insurance claims with LGM for the March 2023 flood event. Initially 250k was received in early November 2023 pending processing.
- (6) **Subsidies and Grants (operating)** - Noted approximately \$3.986M of funding from the DRFA was receipted during the month for DRFA funding flood damage works during the month.
- (7) **Subsidies and Grants (capital)** - Noted capital revenue consisted of \$747k TIDS and \$493k ATSI TIDS.
- (8) **Employee benefits** - Employee benefits costs against the budget, we have currently expended \$2.217mil against a budget of \$6.379mil for the year; this is an actual spend of 33.35% year to date.
- (9) **Materials and services** - Refer to the cost disaggregation in the operating statement. Currently on track with budget overall.
- (10) **Finance costs** - Are scalable higher because bank interest significantly increased above expectation. The total increase in cost is immaterial when compared to the scalable increase in interest revenue received for the year.
- (11) **Depreciation and amortisation** - Is in line with the expected depreciation spend by 30 November 2023.
- (12) **Donations Revenue** - No donations have been recorded for 30 November 2023 at this stage.
- (13) **Sale of non-current assets** - Nil movements noted at this stage for 30 November 2023.

#### 6. BURKE SHIRE COUNCIL FINANCIAL PERFORMANCE

The below report shows the expenditure split between the various organisational departments of council.

It is expected that movements should be no more than 8.33% month on month (100% divided by 12 months).  
Benchmark for November 2023 41.65%

**% YTD Actual expense v Annual Budget**

- YTD actual v budget is on track
- YTD actual v budget is ~~unacceptable~~ (1%-5% movement larger than expected)
- YTD actual v budget requires review (>5% movement larger than expected)

**Organisational Services**

	30 November 2022	30 November 2023	2023-24 Annual Budget	YTD Progress %	Comments
	\$	\$	\$	%	
<b>Recurrent Expenses</b>					
Corporate Governance Costs	345,676	412,737	965,800	43.18%	Actuals are slightly over budgeted estimates due to cost phasing, we will review this in the Quarter 2 budget review due February 2024.
Administration Costs	1,358,577	1,373,120	3,603,960	38.10%	On track with budget.
Recoverable Works Expenses	544,262	449,612	1,024,000	43.91%	Noted the recoverable works relates to RMPC and is billable works to Transport and <del>Majorroads</del>
Engineering Services	2,115,096	5,281,947	11,462,100	46.08%	Actuals are slightly over due to DRFA cost phasing. Budget to be amended as part of the Q2 review for <del>reduced</del> DRFA expenditure due to flood event.
Utility Services Costs	374,578	386,497	1,040,500	37.15%	Costs are up due to some amounts requiring adjustment back to capital works project costing codes; this will be adjusted for the September 2023 report.
Net Plant Operating Costs	-	418,726	785,000	89.08%	Finance will monitor this balance however movement year on year is consistent with September 2022 based on plant <del>utilization</del> against road works <del>etc</del> YTD.
Planning and Environmental Expenses	27,705	32,151	374,500	8.59%	On track with budget.
Community Services Costs	550,481	1,732,606	1,570,380	110.33%	Noted costs incurred to counter disaster operations that will be claimed back against DRA Disaster funding for claim 2 which is currently in progress of being calculated. This is currently included in the Quarter 1 budget review for amendment.
Finance Costs	6,998	10,184	18,000	56.58%	Distorted due to percentage approach to reporting. Value is low and has increased due to significant increases to council QTC interest returns for 2023/2024.
Depreciation	2,234,413	2,462,500	5,910,000	41.67%	On track with budget.
Other Expenses	-	-	-	0.00%	On track with budget.
<b>TOTAL RECURRENT EXPENSES</b>	<b>7,138,080</b>	<b>11,442,070</b>	<b>25,174,230</b>	<b>45.45%</b>	Actuals vs Budget is slightly over due to partial cost phasing and one of operational amounts pending budget amendment.
<b>Capital and Wages</b>	-	73,870	247,000	30%	Notable improvement when compared with the previous year capitalised wage levels. It is expected this balance will continue to perform moving further into the year.



## 7. STATEMENT OF FINANCIAL POSITION

*For the month ended 30 November 2023*

	30 November 2023	2023-24 Annual
	\$	Budget \$
<b>Current Assets</b>		
Cash and cash equivalents	19,781,043	14,078,661
Trade and other receivables	3,189,916	1,000,000
Inventories	320,351	300,000
Other financial assets	232,912	102,000
Non-current assets classified as held for sale	-	-
<b>Total current assets</b>	<b>23,524,222</b>	<b>15,480,661</b>
<b>Non-current Assets</b>		
Receivables	-	-
Property, plant and equipment	278,706,708	275,505,637
Accumulated Depreciation	- 109,599,736 -	95,444,462
Intangible assets	-	-
<b>Total non-current assets</b>	<b>169,106,972</b>	<b>180,061,175</b>
<b>TOTAL ASSETS</b>	<b>192,631,194</b>	<b>195,541,836</b>
<b>Current Liabilities</b>		
Trade and other payables	15,115,402	3,400,000
Borrowings	-	-
Provisions	186,743	140,000
Other	-	-
<b>Total current liabilities</b>	<b>15,302,145</b>	<b>3,540,000</b>
<b>Non-current Liabilities</b>		
Trade and other payables	83,115	83,120
Interest bearing liabilities	-	-
Provisions	959,344	900,000
Other	-	500,000
<b>Total non-current liabilities</b>	<b>1,042,459</b>	<b>1,483,120</b>
<b>TOTAL LIABILITIES</b>	<b>16,344,604</b>	<b>5,023,120</b>
<b>NET COMMUNITY ASSETS</b>	<b>176,286,590</b>	<b>190,518,716</b>
<b>Community Equity</b>		
Shire capital	39,529,889	57,734,989
Asset revaluation reserve	103,541,131	103,316,184
Retained surplus/(deficiency)	33,215,568	29,467,543
Other reserves	-	-
<b>TOTAL COMMUNITY EQUITY</b>	<b>176,286,589</b>	<b>190,518,716</b>

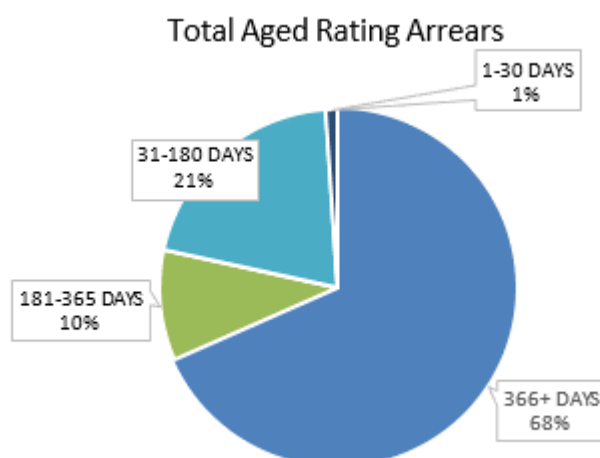
## 8. RATING ARREARS SUMMARY

The below report shows the outstanding aged rating arrears as at 30 November 2023.

Rating Type	366+ DAYS	181-365 DAYS	31-180 DAYS	1-30 DAYS	Total
	\$	\$	\$	\$	\$
GENERAL	80,442	17,610	36,904	1,440	136,395
SEWERAGE	4,497	2,925	5,365	143	12,930
GARBAGE	3,176	2,176	4,759	112	10,223
WATER	93,596	16,389	27,502	1,441	138,927
WATER CONSUMPTION	120,741	5,009	15,330	1,460	142,539
STATE GOVT EMERGENCY	4,058	1,168	4,248	83	9,557
LEGAL FEES	6,408	-	-	-	6,408
<b>Total</b>	<b>312,916</b>	<b>45,276</b>	<b>94,108</b>	<b>4,679</b>	<b>456,979</b>

<b>Total Rating Arrears</b>	<b>456,978.90</b>	
Total Seeking Debt Collection (\$)	80,000	
Total Seeking Debt Collection (%)		Finance to follow up and review for November 2023. To 18% report to Council for January 2024.
Total Pending Further Review (\$) (Advice Obtained)	256,019	
Total Pending Further Review (%) (Advice Obtained)	56%	Finance to follow up and review for November 2023. To report to Council for January 2024.

<b>Total Rate Arrears in debt recovery phase (\$)</b>	<b>336,019.00</b>
<b>Total Rate Arrears in debt recovery phase (%)</b>	<b>74%</b>
<b>Total Rates Arrears not int debt recovery (\$)</b>	<b>120,959.90</b>



## 9. EXERCISE OF DELEGATIONS

Clause 9 of Council's Rate Debt Recovery Policy determines how debtors can enter into a plan to pay their outstanding debts (rates and charges and other receivables) to Council. Clause 11 delegate's authority to negotiate payment plans to the CEO. The following delegations were exercised.

Debt Write off (Amount written off)	Payment arrangement and repayment term	Authorising officer (CEO)
Nil	Nil	Nil
Debt Write off requested > \$1,000		
Nil		

## 10. OFFICER'S RECOMMENDATION

That the financial report for the 30 November 2023 be received and noted.

**11.03 Finance Monthly Update Report**

**That the financial report for the 30 November 2023 be received and noted.**

**Moved: Cr Wade**

**Seconded: Cr Murray**

**Carried 231208.10 5/0**

## 11.05 Adoption of Council Meeting Dates for 2024

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DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; CEO
PREPARED BY:	Madison Marshall; Corporate Services and Governance Manager
DATE REPORT PREPARED:	29 November 2023
LINK TO COUNCIL PLAN/S:	Corporate Plan, Operational Plan

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### 1. PURPOSE

To present and adopt proposed council meeting dates for 2024.

### 2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

In 2023 Council held their Council Meetings on the fourth Thursday of each month, with the exception of the October, November and December meetings being held a week earlier to complete business before the shutdown period and allow time between meetings.

### 3. PROPOSAL

That Council holds the ordinary meetings on the fourth Thursday of each month commencing at 9.00am, with the exceptions noted below for the reasons noted below.

January	Thursday 25	
February	Thursday 22	
March	Thursday 07	Held earlier due to the Local Government Elections.
April	Thursday 18	Week earlier due to Anzac Day being the 4 <sup>th</sup> Thursday.
May	Thursday 23	
June	Thursday 27	
July	Thursday 25	
August	Thursday 22	
September	Thursday 26	
October	Thursday 24	
November	Thursday 21	Week earlier to allow more time between the November and December meetings.
December	Thursday 12	Two weeks earlier due to Council shutdown.

### 4. FINANCIAL & RESOURCE IMPLICATIONS

This is budgeted for in Council's normal operations.

## 5. POLICY &amp; LEGAL IMPLICATIONS

<p>Local Government Regulation 2012</p> <p>Chapter 8 Administration</p> <p>Part 2 Local government meetings and committees</p> <p>254B Public notice of meetings</p>	<p>254B Public notice of meetings</p> <p>(1) A local government must, at least once in each year, publish a notice of the days and times when—</p> <p>(a) its ordinary meetings will be held; and</p> <p>(b) the ordinary meetings of its standing committees will be held.</p> <p>(2) The notice mentioned in subsection (1) must be published on the local government’s website, and in other ways the local government considers appropriate.</p> <p>(3) A local government must display in a conspicuous place in its public office a notice of the days and times when—</p> <p>(a) its meetings will be held; and</p> <p>(b) meetings of its committees will be held.</p> <p>(4) A local government must, as soon as practicable, notify any change to the days and times mentioned in subsection (1) or (3) in the same way as the days and times were previously notified.</p>
<p>Local Government Regulation 2012</p> <p>Chapter 8 Administration</p> <p>Part 2 Local government meetings and committees</p> <p>257 Frequency and place of meetings</p>	<p>257 Frequency and place of meetings</p> <p>(1) A local government must meet at least once in each month.</p> <p>(2) However, the Minister may, after written application by a local government, vary the requirement under subsection (1) for the local government.</p> <p>(3) All meetings of a local government are to be held—</p> <p>(a) at 1 of the local government’s public offices; or</p> <p>(b) for a particular meeting—at another place fixed by the local government, by resolution, for the meeting.</p>

## 6. CRITICAL DATES &amp; IMPLICATIONS

It is timely to decide the meetings now, in order to advertise the public notice of meetings for next year as required under section 254B of the Local Government Regulation 2012.

## 7. CONSULTATION

- CEO

## 8. CONCLUSION

That the 2024 Council meeting dates are adopted to meet legislative requirements.

## 9. OFFICER'S RECOMMENDATION

1. That Council note the contents of the report; and
2. That Council adopts the dates below for the Ordinary Meetings of Council in 2024:-

January	Thursday 25
February	Thursday 22
March	Thursday 07
April	Thursday 18
May	Thursday 23
June	Thursday 27
July	Thursday 25
August	Thursday 22
September	Thursday 26
October	Thursday 24
November	Thursday 21
December	Thursday 12

**11.05 Adoption of Council Meeting Dates for 2024**

1. That Council note the contents of the report; and
2. That Council adopts the dates below for the Ordinary Meetings of Council in 2024:-

January	Thursday 25
February	Thursday 22
March	Thursday 07
April	Thursday 18
May	Thursday 23
June	Thursday 27
July	Thursday 25
August	Thursday 22
September	Thursday 26
October	Thursday 24
November	Thursday 21
December	Thursday 12

Moved: Cr Yanner

Seconded: Cr Murray

Carried 231208.11 5/0

## Attendance

Kimberly Chan left the meeting from 11.07 to 11.08am.

Shannon Moren entered the meeting at 11.08am.

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11.07 Budget Review for the 5 months to the end of 30 November 2023

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DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Shaun Jorgenson – Finance and Technology Manager
DATE REPORT PREPARED:	3 December 2023
LINK TO COUNCIL PLAN/S:	Operational Plan/ Budget

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## 1. PURPOSE

The purpose of the following budget review is to establish any significant or tentative deviations of actuals costs against the original budget set for the 2023/24 financial year and to advise of any amendments to its budget pursuant to section 170(1) of the Local Government Regulation 2012. These review items will be separated into the categories of 'Operating' and 'Capital'.

## 2. BACKGROUND &amp; PREVIOUS COUNCIL CONSIDERATION

Council adopted the budget for the 2023/24 financial year on the 20th of July 2023. Council's actual year to date revenue and expenditure is reviewed monthly. Any significant variances between year-to-date financial performance and budget estimates are investigated and reported. Section 170 (3) of the Local Government Regulation 2012 provides that a Local Government may by resolution amend the budget for the financial year at any time before the end of the financial year. Year to date financial performance has been assessed against original budget estimates and the review will outline any amendments required in accordance with the Local Government Regulation 2012.

## 3. PROPOSAL

That Council acknowledges and endorses revised changes to the 2023/24 Budget. Please note these changes per the below table:

<b>Summary of Proposed Budget Amendments</b>			
<b>To the end of November 2023</b>			
<b>Proposed Amendments</b>			
	<b>Nov 23 Movt</b>	<b>Nov 23 Movt</b>	<b>Total</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Income</b>			
Increase to DRFA Housing revenue	2,330,000.00		
<b>Total Subsidies and Grants</b>		<b>2,330,000.00</b>	
<b>Total Income</b>			<b>2,330,000.00</b>
<b>Expenses</b>			
Increase to DRFA Housing Expenses	(2,330,000.00)		
<b>Total Community Services Costs</b>		<b>(2,330,000.00)</b>	
<b>Total Expenses</b>			<b>(2,330,000.00)</b>
<b>Capital Project Expenses</b>			
Increase to Ownsource Cost to Fund Wharf Precinct Project	(100,000.00)		
<b>Other Infrastructure Capital Project Costs</b>		<b>(100,000.00)</b>	
<b>Total Expenses</b>			<b>(100,000.00)</b>
<b>November 2023 Budget Proposed Amendments (Deficit)</b>			
			<b>(100,000.00)</b>
<b>Total Annual 2023-2024 Budget Amendments (Deficit)</b>			
			<b>(100,000.00)</b>

## 4. FINANCIAL &amp; RESOURCE IMPLICATIONS

This recommendation requires changes to the current year budget as follows:

For Community Services costs, management noted a further \$2,330,000 to be included to cover the cost of temporary accommodation to flood impacted community members; this cost has been fully funded by the DRFA and is a net impact of \$NIL to the annual budget. This cost is an isolated one-off cost for 2022/23 and will not have an impact on the 10-year expenditure forecast.

For Capital Project Expenditure, it was noted that an increase to the estimated cost of the Wharf Precinct project for the 2023/2024 would be an additional \$550k based on tender prices received. To fund this project the following adjustments were required to re-allocate funds to prioritise these works:

- Deferral of the following projects to be funded by 2024-2025 Works for QLD Funding Sources:
  - o Bkt Depot Masterplan – \$50k



- Truck area planning/options - Greg & Bkt - \$30k
- Truck loading Ramp/turnaround area – \$10k
- Bkt - Off street Truck parking area & amenities - \$70k
- Gregory - Off street Truck parking area & amenities - \$70k
- PYMO Lights options - \$15k
- Reduction of allocated budget to the following:
  - Wharf Cleaning - \$30k – it was noted that this was an operational cost more so than capital in nature.
  - Fleet Renewal Budget - \$125k – we will look to increase this budget again for 2023/2024 pending some further internal investigation and scoping of plants needs based on forward Engineering works plans.
  - Gregory public amenities upgrade - \$50k – a remaining budget has been maintained in this project to cost engineering designs and planning; we anticipate further works to be scoped under the Works for QLD funding in 2024/2025 at this stage with the amount remining in this budget to be allocated to getting this project ‘shovel ready’.
- Increase in capital funding allocation.
  - Wharf Precinct Stage 2 - \$550k (made up of \$450k existing budgeted cash with another \$100k of bottom-line reserve committed from the council budget surplus).

The outcome of the above noted recommended amendments to the budget is an overall decrease in council savings by \$100,000.

#### **Housing maintenance**

Additional to the above cost areas noted; management notes that there are several critical housing repairs that will need to be assessed in the coming months and completed by 30 June 2024. A RFQ was issued for housing inspection report works to be completed during the 2023.2024 to establish a detailed housing maintenance plan for moving forwards. At this stage no further amendments will be required to fund these works as they were scoped in the original council budget for 2023/2024.

#### **5. POLICY & LEGAL IMPLICATIONS**

Compliance with the Local Government Act 2009 and Section 170 of the Local Government Regulation 2012.

#### **6. CRITICAL DATES & IMPLICATIONS**

Section 170 (3) of the Local Government Regulation 2012 defines Council’s ability to amend its budget. The local government may, by resolution, amend the budget for a financial year at any time before the end of the financial year.

#### **7. CONSULTATION**

- Executive Management Team; and
- Council.

## 8. CONCLUSION

A total deficit of \$100k will be reported for the year up to 30 November 2023 as a result of additional funding needed to progress major capital works projects for the year.

## 9. OFFICER'S RECOMMENDATION

THAT the following resolutions be endorsed by council:

1. In accordance with section 170(3) of the Local Government Regulation 2012, council is to revise and amend the Burke Shire Council budget adopted for the financial year 2023/2024 as follows.

<b>Summary of Proposed Budget Amendments</b>			
<b>To the end of November 2023</b>			
<b>Proposed Amendments</b>			
	<b>Nov 23 Movt</b>	<b>Nov 23 Movt</b>	<b>Total</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b><u>Income</u></b>			
Increase to DRFA Housing revenue	2,330,000.00		
<b>Total Subsidies and Grants</b>		<b>2,330,000.00</b>	
<b>Total Income</b>			<b>2,330,000.00</b>
<b><u>Expenses</u></b>			
Increase to DRFA Housing Expenses	(2,330,000.00)		
<b>Total Community Services Costs</b>		<b>(2,330,000.00)</b>	
<b>Total Expenses</b>			<b>(2,330,000.00)</b>
<b><u>Capital Project Expenses</u></b>			
Increase to Ownsource Cost to Fund Wharf Precinct Project	(100,000.00)		
<b>Other Infrastructure Capital Project Costs</b>		<b>(100,000.00)</b>	
<b>Total Expenses</b>			<b>(100,000.00)</b>
<b>November 2023 Budget Proposed Amendments (Deficit)</b>			<b>(100,000.00)</b>
<b>Total Annual 2023-2024 Budget Amendments (Deficit)</b>			<b>(100,000.00)</b>

2. The following capital projects be deferred to 2024/2025 to be funded via Works for Queensland capital grant funding in accordance with the next expected allocations from the Department to be issued:
  - a. Bkt Depot Masterplan – \$50k
  - b. Truck area planning/options - Greg & Bkt - \$30k
  - c. Truck loading Ramp/turnaround area – \$10k
  - d. Bkt - Off street Truck parking area & amenities - \$70k
  - e. Gregory-Off Street Truck parking area & amenities - \$70k
  - f. PYMO Lights options - \$15k

**11.07 Budget Review for the 5 months to the end of 30 November 2023**

**THAT** the following resolutions be endorsed by council:

1. In accordance with section 170(3) of the Local Government Regulation 2012, council is to revise and amend the Burke Shire Council budget adopted for the financial year 2023/2024 as follows.

<b>Summary of Proposed Budget Amendments</b>			
<b>To the end of November 2023</b>			
<b>Proposed Amendments</b>			
	<b>Nov 23 Movt</b>	<b>Nov 23 Movt</b>	<b>Total</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Income</b>			
Increase to DRFA Housing revenue	2,330,000.00		
<b>Total Subsidies and Grants</b>		<b>2,330,000.00</b>	
<b>Total Income</b>			<b>2,330,000.00</b>
<b>Expenses</b>			
Increase to DRFA Housing Expenses	(2,330,000.00)		
<b>Total Community Services Costs</b>		<b>(2,330,000.00)</b>	
<b>Total Expenses</b>			<b>(2,330,000.00)</b>
<b>Capital Project Expenses</b>			
Increase to Ownsource Cost to Fund Wharf Precinct Project	(100,000.00)		
<b>Other Infrastructure Capital Project Costs</b>		<b>(100,000.00)</b>	
<b>Total Expenses</b>			<b>(100,000.00)</b>
<b>November 2023 Budget Proposed Amendments (Deficit)</b>			<b>(100,000.00)</b>
<b>Total Annual 2023-2024 Budget Amendments (Deficit)</b>			<b>(100,000.00)</b>

2. The following capital projects be deferred to 2024/2025 to be funded via Works for Queensland capital grant funding in accordance with the next expected allocations from the Department to be issued:

- a. Bkt Depot Masterplan – \$50k
- b. Truck area planning/options - Greg & Bkt - \$30k
- c. Truck loading Ramp/turnaround area – \$10k
- d. Bkt - Off street Truck parking area & amenities - \$70k
- e. Gregory-Off Street Truck parking area & amenities - \$70k
- f. PYMO Lights options - \$15k

Moved: Cr Clarke

Seconded: Cr Yanner

Carried 231208.12 5/0

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## 11.06 Aviation Lease to Bureau of Meteorology

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DEPARTMENT:	Chief Executive Officer
RESPONSIBLE OFFICER:	Shannon Moren- Community and Communications Manager
PREPARED BY:	Shannon Moren- Community and Communications Manager
DATE REPORT PREPARED:	1 December 2023
LINK TO COUNCIL PLAN/S:	Goal - Good Governance  Council is committed to financial , asset, environmental and community sustainability and secures these ends through efficient and effective decision- making processes. This, in turn, promotes community confidence, employee pride and stakeholder satisfaction with the organisation.

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### 1. PURPOSE

To enter into an Aviation Lease between Council and the Bureau of Meteorology, over that part of the Land comprising 1,400m<sup>2</sup> shown on the plan in Schedule 1 of this Lease.

### 2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Council is in receipt of a request from the Bureau of Meteorology, to enter into a Aviation Lease with Council over that part of the Land comprising 1,400m<sup>2</sup> shown on the plan in Schedule 1 of this Lease. The whole of the land described in certificate(s) of title: 51152902 Lot 76 on SP 280661.

The Bureau of Meteorology has been hosting its Automatic Weather Station (AWS), at the Airport following relocation from the Burketown Post Office in 2001.

The Bureau rolled out its ACORN-Sat Project nationally to further improve its weather monitoring functions. In 2021, before the equipment was upgraded, the Bureau obtained the Council's consent to the works.

Council has obtained legal advice from Preston Law and a couple of minor amendments have been made to the draft lease accordingly.

### 3. PROPOSAL

The proposal is to grant the Bureau of Meteorology an Aviation Lease with Council over that part of the Land comprising 1,400m<sup>2</sup> shown on the plan in Schedule 1 of this Lease. The lease is for the Automatic Weather Station including Acorn Sat. The lease is proposed for a Ten Year period from the commencement date.

A peppercorn rent of \$1.00 excluding GST is recommended. Initially we suggested an annual rental of \$1,079.02 per annum, excluding GST. The Bureau wrote back requesting Council to consider reducing the rent to \$1 on the basis of the significant benefits the Bureau's equipment brings to the wider Burketown community. The agreement to a peppercorn rent also aligns with numerous Local Councils, State Department's and private landowners. On this basis we are happy to recommend the \$1.00 Per annum (excluding GST) peppercorn rent.

4. FINANCIAL & RESOURCE IMPLICATIONS

Peppercorn rent of \$1.00, excluding GST be recommended.

Under the lease The Bureau must pay all connection, separately metered usage and consumption charges for Utilities consumed in the Leased Area.

5. RISK

Not applicable concerning the acceptance of this report.

6. POLICY & LEGAL IMPLICATIONS

- Land Act 1994;
- Land Regulation 2020;
- Local Government Act 2009; and
- Local Government Regulation 2012;
- Native Title Act 1993.

7. CRITICAL DATES & IMPLICATIONS

Will commence from the date of the execution of the agreement.

8. CONSULTATION

BOM

Preston Law

9. CONCLUSION

Officers have assessed the request and have determined the proposed Licence Agreement is compatible with the tenure of the land and Officers are in support of entering a Aviation Lease with the Bureau of Meteorology.

10. OFFICER'S RECOMMENDATION

That Council:

- a. Enter into a Aviation Lease with the Bureau of Meteorology for ten years, over part of Lot 118 on CWL3455, subject to the Prescribed Terms pursuant to the Land Act 1994 and conditions relevant to the Aviation Lease attached.
- b. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into finalising and executing any and all matters associated with, or in relation to the Aviation Lease(Draft attached).

**11.06 Aviation Lease to Bureau of Meteorology****That Council:**

- a. Enter into a Aviation Lease with the Bureau of Meteorology for ten years, over part of Lot 118 on CWL3455, subject to the Prescribed Terms pursuant to the Land Act 1994 and conditions relevant to the Aviation Lease attached.
- b. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into finalising and executing any and all matters associated with, or in relation to the Aviation Lease(Draft attached).

**Moved:** Cr Murray

**Seconded:** Cr Wade

**Carried 231208.13 5/0**

**Attendance**

Shannon Moren left the meeting at 11.19am.

## 11.08 Adoption of AI (Artificial Intelligence) Usage Policy

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DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Shaun Jorgensen; Finance and Technology Manager
DATE REPORT PREPARED:	3 December 2023
LINK TO COUNCIL PLAN/S:	Corporate Plan –Council develops, implements and maintains an effective and compliant governance framework (governance, finance, risk, cyber-risk)

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### 1. PURPOSE

The purpose of this report is to adopt a new policy covering the usage of AI (Artificial Intelligence) for the Burke Shire Council in accordance with the relevant legislation.

### 2. BACKGROUND

In accordance with the Local Government Regulation 2012, Council is required to maintain a range of policies to guide Council's behaviors and activities.

AI is a new area of focus which if left unregulated or administrated, can result in significant breaches to data security and/or inappropriate use resulting in reputational loss or the potential to compromise internal users and stakeholders within or outside of an organisation. As such, Burke Shire Council has determined it appropriate to provide some levels of guidance for the use of such technology in an effort to forward consider future risks that may present themselves to the Burke Shire Council as a whole from AI products and solutions; both current and up and coming.

### 3. PROPOSAL

The purpose of this policy is to ensure that Burke Shire Council (Council) outlines and sets standards to define how AI (Artificial Intelligence) resources are to be used:

- Appropriately and efficiently;
- To assist Council to effectively deliver quality, value for money services;
- To not create or increase risk to Council, Council employees, Councillors, contractors and third parties;
- In accordance with other policies, legislation, standards, and business best practice; and
- Managed with sound consistent governance across Council.

Some of the topics covered in the policy further relate to:

- Ethical and Responsible Use
- Accountability and Governance
- Fairness and Equity
- Decision-Making and Service Delivery

- Continuous Improvement
- Prohibited uses of AI
- Security
- Password Policy Requirements
- Enforcement

#### 4. FINANCIAL & RESOURCE IMPLICATIONS

Not applicable concerning adoption of this Report

#### 5. POLICY & LEGAL IMPLICATIONS

Instrument / Policy / Details
<ul style="list-style-type: none"> <li>• Australian Copyright Act 1968 - proscribes the copying of software or data files (including text, sound and images) in the absence of a licensing arrangement;</li> <li>• Crimes Act 1914 - describes procedures related to dealing with a crime;</li> <li>• Cybercrime Act 2001 - deals with a range of computer related offences;</li> <li>• Privacy Act 1988 - introduces principles related to protection of personal information; and</li> <li>• SPAM Act 2003 – which proscribes the sending of SPAM messages.</li> <li>• Crime and Corruption Act 2001 - establishes a commission to reduce the incidence of corruption in the public sector. Council must preserve and make information available for this Commission so that it can be effective in its investigations;</li> <li>• Copyright Act 1968 - is an Act relating to copyright law;</li> <li>• Criminal Code Act 1995 - proscribes computer hacking and general misuse;</li> <li>• Electronic Transactions (Queensland) Act 2001 - refers to the integrity of information and requirements to keep information associated with the need for businesses and the community to use electronic communications when dealing with government bodies;</li> <li>• Evidence Act 1977 - defines what must be preserved as evidence related to government activities;</li> <li>• Information Privacy Act 2009 - ensures the security and protection of personal information and restricts the collection, use and disclosure of information about an individual;</li> <li>• Right to Information Act 2009 - makes particular types of information concerning government documents available to members of the community in order to ensure such information is timely and accurate;</li> <li>• Local Government Act 2009 - requires local government employees not to wilfully destroy or damage Council records;</li> <li>• Public Records Act 2002 - states the responsibilities of government in the management of corporate records - particularly with regards to security; and</li> <li>• Public Sector Ethics Act 1994 - states the responsibilities public officials have in ensuring that public resources are not wasted, abused or improperly used.</li> </ul>



- Burke Shire Council Code of Conduct
- Burke Shire Council Portables and Attractive Items Policy
- Burke Shire Council Fraud Policy
- Burke Shire Council Social Media Policy
- Burke Shire Council ICT Strategic Framework
- Burke Shire Council Notifiable Data Breach Plan
- Burke Shire Council Cyber Incident Data Breach Plan

6. RISK

That council engages with AI product with no scope of guidance to determine appropriate use or uses AI products in such a way that council cyber security is compromised.

7. CRITICAL DATES & IMPLICATIONS

This policies applies until the next respective review date of each policy as defined by either the Act, Regulation or Policy.

8. CONSULTATION

Councillors

Chief Executive Officer

Finance and Technology Manager

9. CONCLUSION

The AI (Artificial Intelligence) Usage Policy is adopted in accordance with the relevant legislation.

10. OFFICER'S RECOMMENDATION

THAT Council adopts the AI (Artificial Intelligence) Usage Policy.

**11.08 Adoption of AI (Artificial Intelligence) Usage Policy**

**THAT Council adopts the AI (Artificial Intelligence) Usage Policy.**

**Moved: Cr Camp**

**Seconded: Cr Yanner**

**Carried 231208.14 5/0**

## 12. Closed Session Reports

**That Council will move into a closed session to discuss confidential items as defined in the Local Government Regulation 2012 in Chapter 8 Administration, Part 2 Local government meetings and committees, under Sections 254 J (3) (g and i).**

**(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;**

**(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.**

**Council moved into closed session at 11.23**

**Moved: Cr Camp**

**Seconded: Cr Yanner**

**Carried 231208.15 5/0**

Move into Open Session

**That the meeting resume in open session to consider recommendations arising out of the closed session.**

**Council resumed open session at 11.30am.**

**Moved: Cr Murray**

**Seconded: Cr Wade**

**Carried 231208.16 5/0**

12.01 Closed Session - Sale of Council Property to Ergon- Lot 55 on SP286551 Wills Developmental Rd Burketown

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012 in Chapter 8 Administration, Part 2 Local government meetings and committees, under Sections and that the document remain confidential unless council decides otherwise by resolution; and
2. That Council note the contents of the report; and
3. That Council resolve that: as per Section 235 (f) of the Local Government regulation 2012, Council negotiates the sale of Lot 55 on SP286551 Wills Developmental Rd Burketown to Ergon Energy Corporation Limited.
4. That in the interim the CEO be delegated to sign the Access Licence Agreement as detailed under Attachment 1.
5. That the CEO be delegated to sign the Owners Consent to enable the lodgement of a Development Application for a Material Change of Use application (Development Permit) for a Renewable Energy Facility over land located at Wills Developmental Road, National Highway 1 described as Lot 55 on SP280661as detailed under Attachment 2.
6. That a subcommittee be formed made up of the Mayor, CEO and Economic Development Manager to finalise negotiations for the sale of land located at Wills Developmental Road, National Highway 1 described as Lot 55 on SP280661 to Ergon Energy Corporation Limited.

Moved: Cr Yanner

Seconded: Cr Clarke

Carried 231208.17 5/0

13. Mayoral Report

That Council notes the contents of the verbal report provided by Councillor Camp.

Moved: Cr Wade

Seconded: Cr Clarke

Carried 231208.18 5/0

14. Councillor Reports

That Council notes the contents of the verbal reports provided by Councillors Clarke, Murray, Wade and Yanner.

Moved: Cr Camp

Seconded: Cr Wade

Carried 231208.19 5/0

15. Late Business

**That Council notes no late business was received.**

16. Deputations and presentation scheduled for meeting

**That Council notes no deputations or presentations were scheduled for the meeting.**

17. Closure of meeting

**The Chair declared the meeting closed at 11.40am.**

I hereby certify that these pages numbered 1 to 68 - constitute  
the Confirmed Ordinary Meeting minutes of the Council Meeting  
of Burke Shire Council held on Friday 08 December 2023.

Mayor Cr Ernie Camp .....